

## CHAPTER 161

## DISCONTINUANCE OF CITY OR TOWN

S. F. 95

AN ACT to amend section three hundred sixty-two point sixteen (362.16), Code 1950, relating to notice of discontinuance of a city or town.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred sixty-two point sixteen (362.16),  
2 Code 1950, is amended by striking from lines five (5) and six (6) the  
3 words, "in a newspaper published".

Approved February 4, 1953.

## CHAPTER 162

## ANNEXING TERRITORY TO CITY OR TOWN

H. F. 498

AN ACT to amend chapter one hundred forty-four (144), section seven (7), Acts of the Fifty-fourth General Assembly, providing for the annexation of unincorporated territory.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Amend chapter one hundred forty-four (144), section  
2 seven (7), subsection four (4), Acts of the Fifty-fourth General As-  
3 sembly, by striking all therefrom and inserting in lieu thereof the  
4 following:

5 "If the proposition is adopted by a majority of those voting thereon,  
6 the council shall cause to be filed in the district court, a suit in equity  
7 against the owners of the property proposed to be annexed, the petition  
8 therein setting forth that, under a resolution of the council, the terri-  
9 tory therein described was authorized by the voters of said city to be  
10 annexed to the city or town."

1 SEC. 2. Amend chapter one hundred forty-four (144), section seven  
2 (7), subsection five (5), Acts of the Fifty-fourth General Assembly,  
3 by striking all therefrom and inserting in lieu thereof the following:

4 "The petition shall contain:

5 "a. A description of the perimeter of the entire property proposed  
6 to be annexed and a list of each property owner therein as shown by  
7 the plat books in the office of the county auditor.

8 "b. A statement of facts showing that the municipal corporation is  
9 capable of extending into such territory substantial municipal services  
10 and benefits not theretofore enjoyed by such territory.

11 "c. A plat of such territory showing its relation to the corporate  
12 limits.

13 "d. That said annexation is not sought merely for the purpose of  
14 increasing the revenues from taxation of such municipal corporation."

1 SEC. 3. Amend chapter one hundred forty-four (144), section seven  
2 (7), subsection six (6), Acts of the Fifty-fourth General Assembly, by  
3 striking all therefrom and inserting in lieu thereof the following:

4 "If the court finds that there is an affirmative showing that the  
5 municipal corporation is capable of extending into such territory sub-  
6 stantial municipal services and benefits not theretofore enjoyed by such  
7 territory, so that the proposed annexation will not result merely in  
8 increasing the revenue from taxation of such municipal corporation;  
9 and if the court finds further that all of the proceedings and conditions  
10 precedent to annexation as required hereinbefore by subsections one  
11 (1) through five (5) inclusive have been duly instituted and carried  
12 out as provided therein, the court shall decree the annexation. No costs  
13 shall be taxed against any defendant who fails to make a defense."

Approved April 29, 1953.

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## CHAPTER 163

### NONPARTY NOMINATIONS

#### H. F. 5

AN ACT relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section twenty (20) of chapter one hundred forty-five  
2 (145), Acts of the Fifty-fourth General Assembly, is amended by add-  
3 ing at the end thereof the following:

4 "Any such city, under one hundred thousand (100,000) population,  
5 may by ordinance provide that all candidates for all elective city offices  
6 shall be nominated under the provisions of chapter forty-four (44)  
7 and chapter forty-five (45), Code 1950. In such event nomination  
8 for all such offices by primary shall not be authorized."

Approved March 25, 1953.

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## CHAPTER 164

### MUNICIPAL GOVERNMENT CHANGE

#### S. F. 66

AN ACT to amend chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, relating to elections to change the form of a municipal government.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter one hundred forty-five (145), Acts of the  
2 Fifty-fourth General Assembly, is amended by striking all of section  
3 thirty-six (36) and inserting in lieu thereof the following:

4 "Sec. 36. Question submitted. At such election, the proposition  
5 submitted shall be: 'Shall the proposition to change the form of mu-  
6 nicipal government of the city (or town) of .....  
7 ..... to the .....  
8 (Name of municipal corporation)